

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

CRAIG SHIPP

PLAINTIFF

VS.

NO. 4:18-CV-0417 SOH

CORRECT CARE SOLUTIONS, LLC,
DR. LORENE LOMAX, DR MIMO LEMDJA,
KIMBERLY HOFMANN, LENORA PHILSON,
KINDALL SMITH, DIANE CUNNINGHAM,
MELISSA STONER, STEVE ARNOLD

DEFENDANTS

ORAL DEPOSITION

OF

LORENE LOMAX, M.D.

TAKEN NOVEMBER 16, 2018, AT 10:11 A.M.

Conway Court Reporting

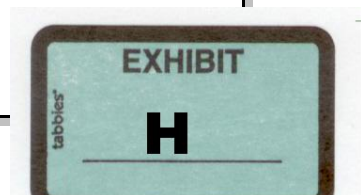
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1 and if the nurse is at this other part doing an intake -- and
2 it's a routine thing that the nurse reports that the patient
3 has normal vital signs, or, again, we're talking something like
4 an elevator pass -- and I know that that person is going to get
5 their intake next week, just to be on the safe side, I say, you
6 know, "Go ahead and give him a temporary elevator pass." I
7 wouldn't always do those particular ones myself.

8 **Q Okay. Do you believe that it was critical for Mr. Shipp**
9 **to offload the pressure point on his feet when he arrived on**
10 **February 1st, 2016?**

11 A It would have been ideal for him to still being wearing
12 his custom orthotics.

13 **Q Do you agree that it's important to have those orthotics**
14 **in order to prevent a diabetic sore or ulcer from starting?**

15 A That would be an important part of prevention.

16 **Q And when a diabetic has a sore or ulcer start, is it**
17 **always guaranteed that that sore or ulcer will completely heal?**

18 A Well, it's never guaranteed if anyone has a sore or ulcer
19 start they will completely heal. Diabetics have a much higher
20 likelihood of slow progression to healing for a multitude of
21 reasons. You know, high blood sugars complicate those kind of
22 things; the neuropathy can complicate those kind of things.

23 **Q And so at that point, is it then critical to prevent those**
24 **sores from starting?**

25 A Yes.

1 struggles to work with medical restrictions, and the
2 environment can make a great deal of -- you know, a difference
3 in the person's ability to be compliant. I don't really fault
4 him, but on the other hand, he did not seem like he was trying
5 his hardest to comply. And that was a continuous -- whenever I
6 would see him, I would really try to reinforce to him that,
7 "You actually do have to listen to what these guys are saying."
8 And, you know, after I had ordered him a wheelchair after we
9 really had him out to wound care and he would be observed not
10 using it, it was frustrating. So --

11 **Q Did you ever observe him not using it?**

12 A I personally did not.

13 **Q Do you know what areas of the facility he was not using**
14 **his wheelchair?**

15 A Well, I reviewed some of the nurses' notes where they
16 would document that down in the commissary dining hall, that
17 kind of thing, that he would be observed using his wheelchair
18 as a shopping-cart kind of thing, pushed things in it, you
19 know.

20 **Q Would it permitted to use a walker in his condition?**

21 A A walker wouldn't have done what we wanted to do, which
22 was, that he did not have pressure on the foot. You know,
23 because when you're walking, you're still, you know, putting
24 pressure on your foot.

25 **Q And so do you have an understanding of how many times he**

1 **Q Okay. February 9th?**

2 **A I think that was the date.**

3 **Q And then on February 9th, she does have the plan,**
4 **follow-up chronic care?**

5 **A Yes.**

6 **Q And was that -- does that mean with the doctor?**

7 **A Yes. The chronic care visit is when we enroll the people**
8 **that have diabetes or hypertension or other medical problems**
9 **that are going to need chronic follow-up while they're here --**
10 **while they're there.**

11 **Q And he did follow up with a chronic care visit?**

12 **A He did, a week later.**

13 **Q A week later. Now, you mentioned in your note -- or when**
14 **you testified, you said he could offload with orthotics or with**
15 **padding?**

16 **A Well, orthotics, generally, they have some degree --**
17 **orthotics are manufactured in various types. Some of them have**
18 **like a -- they usually have a hard plastic surface, and then**
19 **the bottom could be like compressible foam in areas. Some of**
20 **them, if a person really uses a lot of foot support, they might**
21 **have like a metal piece that has then foam and stuff to support**
22 **it. So -- and the reason for using the orthotics is to**
23 **redistribute pressure and then have the point -- in the case of**
24 **a Charcot foot, those weird bumps from his collapsed bones that**
25 **were sticking out, you want to, like, lift up so that those**

C E R T I F I C A T E

STATE OF ARKANSAS)

) ss

COUNTY OF FAULKNER)

I, KRISTY L. ROONEY, Certified Court Reporter #529, does hereby certify that the facts stated by me in the caption on the foregoing proceedings are true; and that the foregoing proceedings were reported verbatim through the use of the voice-writing method and thereafter transcribed by me or under my direct supervision to the best of my ability, taken at the time and place set out on the caption hereto.

I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original deposition transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties to the action.

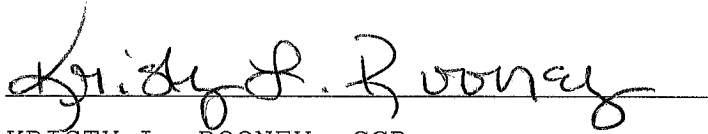
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LORENE LOMAX, M.D.

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WITNESS MY HAND AND SEAL this 5th day of December, 2018.



KRISTY L. ROONEY, CCR

Certified Court Reporter #529

SIGNATURE PAGE

I, LORENE LOMAX, M.D., do hereby certify that I have read the foregoing 40 pages of typewritten transcript of my testimony, after necessary translation, given under oath on the 16th day of November, 2018, and that the said transcript and corrections, if any, that appear on the attached errata sheet(s), are true and correct to the best of my memory and belief. Further, that I have signed my name to this signature page and authorize that the same be attached to the original transcript.

12/22/2018

DATE

Lorene Lomax

WITNESS

STATE OF ARKANSAS)

COUNTY OF CLARK)

SUBSCRIBED AND SWORN to before me, a Notary Public in and for the aforesaid county and state on this the 22 day of Dec, 2018.

Robert P. Murphy

NOTARY PUBLIC

MY COMMISSION EXPIRES:

5-31-23

